

IN THE UNITED STATES COURT FOR THE DISTRICT OF UTAH  
NORTHERN DIVISION

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UNITED STATES OF AMERICA,  
Plaintiff,

vs.

JOHN JESUS GONZALES,  
Defendant.

MEMORANDUM DECISION AND  
ORDER GRANTING DEFENDANT’S  
MOTION FOR EARLY  
TERMINATION OF SUPERVISED  
RELEASE

Case No. 1:04-CR-28 TS

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This matter is before the Court for consideration of Defendant’s Motion for Early Termination of Supervised Release.<sup>1</sup> For the reasons discussed below, the Court will grant Defendant’s Motion.

I. BACKGROUND

Defendant was indicted on February 18, 2004, on one count of possession with intent to distribute methamphetamine in violation of 21 U.S.C. § 841(a)(1). Defendant pleaded guilty to Count I of the Indictment. Defendant was sentenced on September 2, 2004, to a period of 92

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<sup>1</sup>Docket No. 31.

months in the custody of the Bureau of Prisons, to be followed by a 48-month term of supervised release. Defendant now moves to terminate that supervision. The Government has not responded to the Motion.

In his Motion, Defendant states that he has completed 28 months of supervision without any violation of his supervised release. During that time Defendant has attended and passed all substance abuse testings. Defendant has also paid all fines that were imposed. Defendant has also been employed throughout his term of release, which has allowed him to purchase a home and support his family. Consultation with Defendant's supervising officer confirms that Defendant has remained compliant with the terms of his supervised release.

## II. DISCUSSION

18 U.S.C. § 3583(e) permits the Court to terminate supervised release at any time after a defendant has completed at least one year of supervised release, but prior to completion of the entire term, if the Court is satisfied that such action is (1) warranted by the conduct of an offender and (2) is in the interest of justice. In making this determination, the Court is directed to consider the factors set forth in 18 U.S.C. § 3553(a), to the extent they are applicable.

Having considered these factors, reviewed the docket and case file, and consulted with Defendant's supervising officer, the Court finds that early termination of Defendant's term of supervised release is both warranted by the conduct of the offender and in the interest of justice.

III. CONCLUSION

It is therefore

ORDERED that Defendant's Motion for Early Termination of Supervised Release (Docket No. 31) is GRANTED. It is further

ORDERED that Defendant's term of supervised release shall be terminated effective immediately and this case shall be closed.

DATED February 19, 2013.

BY THE COURT:

A handwritten signature in black ink, appearing to read "Stewart", is written over a horizontal line.

TED STEWART  
United States District Judge